



**REGULAR MEETING OF THE INLAND WETLANDS AND WATERCOURSES AGENCY  
VIRTUAL MEETING VIA WEBEX  
MIDDLETOWN CONNECTICUT  
SEPTEMBER 2, 2020**

**A. Call to Order / Pledge of Allegiance**

All members are full voting members.

Present: Joseph Carta,  
Ken McClellan  
Trevor Davis  
Jennifer Greenberg  
Jammie Middleton  
Paul Dyka

Absent: Fred Terrasi  
David Pritchard  
Trevor Larrubia  
Gabriel Russo  
Jack Pieper

Staff: Marek Kozikowski, AICP, City Planner

Ken McClellan motions to move Item C.1 to the beginning of the meeting. Paul Dyka seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 6 affirmative votes.

**C. Old Business**

**1) Proposed clearing of brush and dead trees within the 100ft upland review area at 17 Chelsea Court. Applicant/agent Mason Wood 2020-12**

The interpreter could not get through so it was agreed that communication with Mr. Wood will occur through the chat feature.

Marek Kozikowski gave a background of the application. This lot was created with the subdivision process and the map shows that there is wetlands on the property. It's a wooded area and the wetlands is 7 ft. from the property line. The applicant would like to do some selective clearing in the back of his property to extend his yard.

Joe Carta asked if there was a stream or swamp. Marek said no, but there is a stream if you go out further. He brought up the GIS for the site and showed where the stream was which is about 100 ft. from where Mr. Wood will be clearing. There were no further questions from the Agency.

Ken McClellan moves to approve clearing of brush and dead trees within the 100ft upland review area at 17 Chelsea Court. Jammie Middleton seconds the motion. The chair calls for the vote. It is unanimous to approve with 6 aye votes. The chair states the matter passes unanimously with 6 affirmative votes.

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Election of the new vice-chair. Joe Carta asked if anyone was interested. Ken McClellan said that if he was nominated, he would accept the nomination. Jennifer Greenberg nominates Ken McClellan as vice-chair and was seconded by Paul Dyka. Seeing no other nominations the chair calls for the vote. It is unanimous to approve Ken McClellan as vice-chair with 6 aye votes. The chair states the matter passes unanimously with 6 affirmative votes.

## **B. Public Hearing**

### **1) Proposed construction of office and vehicle wash bay within the 100ft upland review area at 133 Tuttle Road. Applicant/agent DATTCO Inc. 2020-14**

Brian Panico, Harry Cole and Son, 876 South Main Street in Plantsville introduced the application and gave a brief overview of the project and site. He explained that in October 2019, it was approved to expand the parking area. Now they would like to construct two additional buildings on site. Only one is in the upland review area. This project will not impact any more upland review area. The buildings are being placed on what has been already approved and only 970 sq. ft. falls in the upland review area.

The Chair asked if anyone from the public wished to speak. John Davino, who is the owner introduced himself and said he is there to answer any questions that Brian may not be able to. James Paladino, Facility Director is also present.

The Chair asked if anyone in the Agency wished to speak. Paul Dyka asked if they would explain how the waste water would be handled after the busses are washed. Brian Penico said that the building would have a trench drain in the center of it and an oil and water separator that would collect it and then send to the sanitary sewer. A lengthy discussion ensued.

Paul Dyka moves to close the public hearing. Trevor Davis seconds the motion. The chair calls for the vote. It is unanimous to close public hearing with 6 aye votes. The chair states the matter passes unanimously with 6 affirmative votes.

Trevor Davis moves for approval for construction of an office and vehicle wash bay within the 100ft upland review area at 133 Tuttle Road. Ken McClellan seconds the motion. The chair calls for the vote. It is unanimous to approve with 6 aye votes. The chair states the matter passes unanimously with 6 affirmative votes.

### **2) Proposed cleaning of pond; divert water, excavate muck/dirt nuisance vegetation and refill with clean spring-fed brooks at 730 Arbutus Street. Applicant/agent David & Erin Xenelis 2020-15**

David Xenelis explained that Xenelis Construction did it for the previous owners a while ago. Joe Carta asked where all the silt came from. Mr. Xenelis said that a lot of it is from road sand. There's a catch basin on Livingston that goes directly to a stream and that is frequently plugged up with sand. They would like to lower the level of the pond because in some places it's between 0" to 6" to a foot deep. They also want to take out the muck and vegetation, stockpile elsewhere on the property, let it dry out and then remove from site. It will take several months to do everything.

Ken McClellan moves to close the public hearing. Trevor Davis seconds the motion. The chair calls for the vote. It is unanimous to close public hearing with 6 aye votes. The chair states the matter passes unanimously with 6 affirmative votes.

Paul Dyka moves for approval for cleaning of pond; divert water, excavate muck/dirt nuisance vegetation and refill with clean spring-fed brooks at 730 Arbutus Street. Jennifer Greenberg seconds the motion. The chair calls for the vote. It is unanimous to approve with 6 aye votes. The chair states the matter passes unanimously with 6 affirmative votes.

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Joe Carta asked for a motion to hear New Business Item D.1 before the last public hearing as it is just to accept. Trevor Davis makes the motion and Jennifer Greenberg seconds. The chair calls for the vote. It is unanimous to approve with 6 aye votes. The chair states the matter passes unanimously with 6 affirmative votes.

**D. 1) Proposed construction of a two-family dwelling within the upland review area located at 243 Saybrook Road. Applicant/agent Christopher Bull 2020-16**

Marek asked if the Agency would like to schedule this for the next meeting or if they would like staff to handle it. Marek proceeded to explain the application. This is to construct a 2-family dwelling at 243 Saybrook Road. The current dwelling is either demoed or is in the process of being demoed. The applicant agreed to end the footing drain outside of the wetland area. Joe Carta stated that he thinks this should not necessarily be a public hearing but they still need to get a permit.

Jennifer Greenberg moves to schedule as Old Business at the October 7<sup>th</sup> meeting. Motion was seconded by Jammie Middleton. The Chair calls for the vote. The chair states the matter passes unanimously with 6 affirmative votes.

**C. 3) Install new 12" sanitary sewer adjacent to a 420 long culvert carrying Long Hill Brook, replace water main in Pameacha Avenue, and road reconstruction and repaving. Applicant/agent Joseph Fazzino/Middletown Water & Sewer Dept. 2020-13**

Joe Fazzino, Director of Water & Sewer Dept. said that this was a project that went out to bid many years ago. It came in over budget, had various issues with getting easements and redesign and DEEP's requirement to tie together with the actual dams. In this application, they are separated from the actual dam and it would be something that they would come back to with Public Works in the future. They are looking to do a 12" sanitary sewer stream-crossing at the tail end of the dam.

Guy Russo, Engineer gave a brief power-point presentation to the Agency. He said the original permit was issued in 2011 and was extended in 2016. A discussion ensued after the presentation. Marek Kozikowski said that the PCD would like to copy and weigh in with the Management Plan. He also recommended that the Purchasing Dept. have a pollution / liability bond for the work.

Ken McClellan moves to close the public hearing. Paul Dyka seconds the motion. The chair calls for the vote. It is unanimous to close public hearing with 6 aye votes. The chair states the matter passes unanimously with 6 affirmative votes.

Paul Dyka moves for approval to install new 12" sanitary sewer adjacent to a 420 long culvert carrying Long Hill Brook, replace water main in Pameacha Avenue, and road reconstruction and repaving. Ken McClellan seconds the motion. The chair calls for the vote. It is unanimous to approve with 6 aye votes. The chair states the matter passes unanimously with 6 affirmative votes.

**E. Agency Review**

None

**F. Reports of Officers and Committees**

None

**G. Public Open Forum**

None

**H. Minutes – May 6, June 3, June 19, & July 1, 2020**

No action taken

**I. Communication and Bills**

Marek said that the Governor extended his executive orders until February 9, 2021. As far as the City goes, online meetings are still legal until the Common Council says otherwise.

**J. Adjournment**

Ken McClellan moves for adjournment. Jennifer Greenberg seconds the motion. The chair calls for the vote. It is unanimous to adjourn with 6 aye votes. The chair states the matter passes unanimously with 6 affirmative votes.

Respectfully submitted,

Marek Kozikowski, AICP  
City Planner